

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 3, 2015

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PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation was given by Reverend David Dixon, Sr. Associate Minister at Travelers Rest Missionary Baptist Church in Morrow, GA. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by adding the reposting and advertising of the Planning and Zoning Administrator position at a higher salary to reflect \$73,000.00 yearly due to the below average number of qualified applicants applying. Vote unanimous.

Commissioner Edmondson asked if it is required to have a Human Resources request to amend the job description and salary. Chairman Turner advised that the job description stays the same; it would just be an increase in salary. Ms. Renee Bright, Human Resources Director, stated that she conducted a survey of the Metro area and the survey revealed an average salary of \$73,000.00 annual salary. Commissioner Edmondson questioned if the Board needed to have a Legislative Request before them to do so. Chief Operating Officer Detrick Stanford advised that the request needed to go before the Civil Service Board first, and then the Board of Commissioners (BOC) considers their recommendation. Commissioner Edmondson stated that the position is a non-Civil Service protected position. Christie Barnes, Chief Staff Attorney stated that she was not aware that the position was a non-Civil Service protected position, however in order to start a new employee at a step higher than a Step 1 that does require the Civil Service Board and BOC approval. Chairman Turner asked if the position was a Civil Service position. Ms. Bright advised that according to the records that she has, it is. Ms. Bright also advised that \$73,000.00 annual salary would be a pay grade 33. Ms. Barnes stated that if the selected candidate was to be brought on board at a pay step higher than a step 1, that's when this issue would be brought before the Civil Service Board. Chairman Turner advised that the purpose to increasing the salary on the position is to obtain more interest from better qualified candidates from what the county had been receiving.

Removed Item No. 14, Resolution 2015-274 - A Resolution authorizing Clayton County to collect franchise and PEG fees pursuant to the State's Franchise Agreement with AT&T (*Synopsis: A Resolution authorizing Clayton County to collect franchise fees and Public Educational and Government (PEG) fees from AT&T's customers for cable television.*), until further legal research has

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been conducted. Vote unanimous. Motion by Commissioner Rooks, second by Commissioner Edmondson, to adopt the agenda as amended. Vote unanimous.

4. Approved the October 20, 2015 Regular Business Meeting minutes. Vote unanimous.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
 1. Reverend Joseph Wheeler, a Clayton County resident, spoke before the Board in regards to former Police Chief Greg Porter and asked that the Board allow him to serve out his time as Police Chief. He stated that he had addressed this issue initially on August 18, 2015 before the Board. Reverend Wheeler stated that two days later he received a phone call from Police Captain Jackson and Captain Rebecca Brown stating that they would like to meet with him in confidence, and he advised them both that he would not do so without meeting with the Board first. He stated two days after that, he received a call from Sheriff Victor Hill, stating that he wanted to meet with Reverend Wheeler as well. Reverend Wheeler stated that he met with Sheriff Hill, and also stated that Sheriff Hill sided with the Board. He stated that there is no reason for former Police Chief Porter to have been fired; the chain of command at the Police Department has been disrupted. The Board does not have to accept the compromise, but it does have to accept the responsibility for dividing Clayton County. He stated that protests will be held on Tara Boulevard, GA Highway 85, GA Highway 138, and GA Highway 54 and at the Police Department itself. (Speaking limit had been reached upon his continuing statements.)
 2. Carl Swensson, a member of Clayton County Citizens Oversight Committee (CCCOC), stated that there is but one law of the land and it is that of the 1789 Constitution. Mr. Swensson proceeded to read small excerpts from the Constitution before the Board. He then began to ask the Board questions with regards to fallen Police Officer Warren's death. Mr. Swensson stated that answers are being hidden from the public due to lack of sufficient liability insurance coverage. He then began to question the insurance coverage that the county holds. (Speaking limit had been reached upon his further questioning.)
 3. Heather Middenderf, a Henry County resident and member of Clayton County Citizens Oversight Committee (CCCOC), spoke in regards to the esquires. She stated that most esquires that speak "legalese" do so to convince individuals that what they speak of is okay. Ms. Middenderf asked that all Peace Officers, not the District Attorney's Office, work with CCCOC to review their findings and take appropriate actions to clean up this fiduciary responsibility.

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She stated that being a part of CCCOC gives an educational opportunity to understand how the government “got away” from the people. This is her belief.

4. Dee Corley, a Cobb County resident and member of Clayton County Citizens Oversight Committee (CCCOC), spoke in regards to the esquires as well. She stated that the creation of a budget is done within the Finance Department under the direction of the esquires. She stated that this is done so that those individuals are placed under the Clayton County Board of Commissioners instead of reporting to the Clayton County Treasurer. In addressing the Board and citizens of the county, Ms. Corley asked would the citizens rather the esquires run the county, have two competing constitutions dictate how the county is run, or get to the bottom of how things should go.

Upon conclusion of Public Comment, Chairman Turner read a letter of findings before the Board and the constituents. On October 6, 2015, Mr. Oscar Blalock came before the Board of Commission and read a letter asking for an investigation and an indictment on his person for having a meeting at one of the county’s local facilities. The letter was presented to District Attorney Tracy Graham-Lawson, who conducted an investigation and she rendered the following findings: Dated October 27, 2015, addressed to Mr. Blalock.

“Dear Mr. Blalock, in your first letter you alleged that Mr. Jeffrey Turner, Chairman of the Clayton County Board of Commissioners had misused county property for personal use on October 1, 2015. In your second letter, you acknowledged that Chairman Turner personally paid for the use of the facility. We did in fact obtain proof of his payment. When the facility is rented, any lawful gathering is approved. The event was apparently aimed at trying to improve Clayton County and to develop strategies for that purpose; an attendee told us that is what the event was about. There is no violation of any law that was committed by Chairman Turner in hosting said event. Finally, in that I was not invited to nor did I attend said event as there was no need for me to disqualify from investigating the same. Sincerely, Tracey Graham-Lawson, District Attorney, Clayton Judicial Circuit”.

6. Consider requests of Debra Brewer, Director of Central Services. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

- 1) **Approved Recommendation for Award: #15-30 Ballfield Lighting Re-Lamp and Electrical Maintenance for Clayton County Parks, Annual Contract for the Parks &**

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Recreation Department. (Deco, Inc., dba Davidson Electric Co., located in Covington, Georgia. Funding is available through the Parks and Recreation General Fund). As requested by the Parks & Recreation Department. Pursuant to Section 2-136 (1) of the Clayton County Code of Ordinances, General Purchasing Methods; Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

2) Approved **Recommendation for Sole Source Award for the purchase of a Subscription for a West Complete Law Library Program for the Clayton County Juvenile Court.** (\$28,147.68 / West/Thomson Reuters Business, located in Redmond, Washington. Funding is available through the Juvenile Court Department General Funds). As requested by the Juvenile Court Services. Pursuant to Section 2-136 (7) of the Clayton County Code of Ordinances, General Purchasing Methods; Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The Purchasing Agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

3) Approved **Memo to Amend RFQ #2015-19 Influenza Vaccine Administration for Clayton County Employees.** Recommendation to amend the language in Section VII, Governing Law of the draft agreement to reflect that the agreement will be construed and enforced by the laws of the Commonwealth of Pennsylvania. As requested by Riteaid Headquarters Corp (Riteaid)/Provider. Vote unanimous.

4) Approved **Emergency Contract Award for EMS Medication Supplies** (Bound Tree Medical LLC located in Chicago, IL, Christian's Pharmacy located in Forest Park, GA, and potentially Kaiser). This is an Emergency placeholder with details to be determined and provided. Vote unanimous.

7. Considered the request of Dennis Johnson, Budget Manager.

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- 1) Approved Budget Amendment #4-39/2009 SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for a reel mower to use at Lovejoy Park for the soccer fields, in the amount of \$53,240. Vote unanimous.
8. Considered the requests of Renee Bright, Human Resources Director.
- 1) Approved Reorganization request from the Sheriff's Office that includes eliminating one Deputy Sheriff Lieutenant and one Correctional Officer position. Create a Deputy Sheriff II; reclassify two Deputy Sheriff II positions to two Deputy Sheriff Sergeants; eliminate a Correctional Lieutenant and create a Correctional Captain position; and create two part time clerical positions. Vote unanimous.
 - 2) Approved the reclassification of the vacant Administrative Assistant position in the Commission Office to Assistant to the Chief Operating Officer position. Motion passed 4-1. Commissioner Edmondson opposed.

Vice-Chairman Hambrick asked when the date would be effective for Item No.2, as she saw two dates in the documentation provided. Ms. Bright advised that it is being requested that the date be July 1, 2015. Chairman Turner advised that this would be retroactive as this is the date the position was filled by the Administrative Assistant as she was working the position unofficially prior to this date. Chief Operating Officer Detrick Stanford advised that the Administrative Assistant actually began serving in that position as of April 23, 2015 without any adjustment to her pay.

Commissioner Edmondson asked if the Assistant to the Chief Operating Officer (COO) position already existed. Ms. Bright advised that a new position is being created. Commissioner Edmondson then questioned if Sloan Williams was the Assistant to the COO when Ms. Arelle Anderson was the COO. Chairman Turner advised that her position (Ms. Williams) was transferred to CCTV-23. Chairman Turner asked if the Administrative Assistant to the COO position was created with this fiscal year's budget. Mr. Johnson replied that it was. The pay would go from a grade 16, step 1, to a grade 19, step 5. Commissioner Edmondson questioned as to what grade is Ms. Terri Randolph (Assistant to COO Stanford and Parks and Recreation Administrative Assistant) currently at. Ms. Bright replied that Ms. Randolph's current position is at a grade 18 and currently, Ms. Randolph is being paid out the Parks and Recreation budget and is doing work for both the Parks and Recreation Department as well as supporting the COO. Commissioner Edmondson stated if Ms. Randolph is moved from a grade 18

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to a grade 19, her pay will increase \$6,935.00 yearly. Mr. Johnson stated that is the budgetary impact. He explained that the impact to Ms. Randolph, personally, would only be from the grade 18 to the grade 19, step 5. In this case, it is strictly the budgetary impact, which is the \$6,935.00.

Approved the reclassification of the Zoning Administrator pay grade from a 27 to a pay grade 33 and will repost at the higher salary as presented by Ms. Bright. Motion passed 4-1. Commissioner Edmondson opposed.

9. Approved Resolution 2015-269 - A Resolution authorizing Clayton County to accept supplemental compensation from the State of Georgia for Judicial Secretary Glenda Hasty. Vote unanimous.

***Synopsis:** The Council of Superior Court Judges of Georgia will allocate an annual supplemental salary to Clayton County Judicial Secretary Glenda Hasty; and Clayton County will be reimbursed \$5,793.00 by the State annually effective July 1, 2015.*

10. Approved Resolution 2015-270 - A Resolution authorizing Clayton County to enter into Memorandum of Agreement with the Prosecuting Attorney's Council of the State of Georgia and in accordance therewith accept grant funds to be used in connection with the Victims of Crime Act (VOCA) and the Clayton County Solicitor General's Victim Assistant Project. Vote unanimous.

***Synopsis:** The State of Georgia has awarded grant funds to the Solicitor General, in connection with the Victims of Crime Act (VOCA), for the amount of \$35,825.00, with a local match of \$8,956.00, to be used in connection with the Victims of Crime Act (VOCA) and the Solicitor General's Victim Assistance Grant Program.*

11. Motion was made by Chairman Turner. Dies due to lack of a second. Resolution 2015-271 - A Resolution to amend the Clayton County PY2015 Annual Action Plan to allow for the recapture and reallocation of funding to administer the Student Housing Initiative Program.

***Synopsis:** This Resolution will reallocate balances associated with projects that are inactive or complete to new or incomplete projects in support of the grantee's efforts with the administration of UGA Extension, upon the termination of the contract with Housing Authority of Clayton County.*

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12. Approved Resolution 2015-272 - A Resolution authorizing Clayton County to accept two seized vehicles from Clayton County Police Department Drug Investigations; to authorize the sale of such property; to provide for the disbursement of sale proceeds. Vote unanimous.

Synopsis: This Resolution allows the County to sell at auction a 2002 Mercedes Benz E430 and a 2002 Acura 3.2.

13. Approved Resolution 2015-273 - A Resolution authorizing Clayton County to terminate its Medical Director Agreement with Richard Dukes, M.D.; To authorize the county to enter into an Agreement with Sudha Reddy, M.D. as Medical Director and perform the duties and responsibilities required by the Georgia Department of Public Health and the Office of Emergency Medical Services. Vote unanimous.

Synopsis: This Resolution terminates the existing agreement with Dr. Richard Dukes and allows the County to enter into a new agreement with Dr. Sudha Reddy.

14. Approved Resolution 2015-275 - A Resolution authorizing Commissioner Gail B. Hambrick to partner with Fastpark & Relax to host a job fair at the Virginia B. Gray Recreation Center. Vote unanimous.

Synopsis: Commissioner Hambrick and Fastpark & Relax will host a job fair at the Virginia Gray Recreation Center on November 17, 2015 through November 19, 2015.

15. Approved Resolution 2015-276 - A Resolution providing for the conveyance of Clayton County's interest in Linda Avenue, Eastern Avenue, and Brenda Street lying and being in Land Lot 13 of the 13th Land District of Clayton County. Vote unanimous.

Synopsis: A Resolution requesting the County to execute a Quitclaim Deed for the right-of-ways located in Land Lot 13, 13th District.

ITEMS FOR DISCUSSION- NEXT FOUR (4) LISTED:

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16. Approved Resolution 2015-277 - A Resolution authorizing Clayton County to enter into an intergovernmental agreement with the City of Morrow for the provision of Emergency Communications Services (E-911). Vote unanimous.

***Synopsis:** This Resolution allows the County to provide E911 Services for Morrow.*

Silvia Reddick, City of Morrow City Manager advised that the budget for the year is approximately \$700,000.00 yearly, when fully staffed. The city receives approximately \$140,000.00 for E911 fees. The county would receive those fees if an agreement is reached with the city.

Commissioner Edmondson asked the Medical Director if there is any termination language or any buy-outs that the county needs to be aware of or would be subjected to. He was advised no, and that Dr. Reddy's contract would not be effective until November 16, 2015.

17. Removed Resolution 2015-278 - A Resolution authorizing Clayton County to enter into an intergovernmental agreement with the City of Lake City for the provision of Fire Services, Emergency Management Services, and Emergency Communications Services (E-911). Vote unanimous.

***Synopsis:** This Resolution allows Clayton County provisions of Fire Services, Emergency Management Services and E-911 for Lake City. Lake City agrees to levy a tax upon its residents for the County's services.*

18. Approved Resolution 2015-279 - A Resolution authorizing Clayton County to enter into an intergovernmental agreement with the City of Lake City for the provision of Fire Services, Emergency Management Services, and Emergency Communications Services (E-911). Vote unanimous.

***Synopsis:** This Resolution allows Clayton County provisions of Fire Services, Emergency Management Services and E-911 for Lake City. The County will create a Special Tax District within Lake City as compensation for services and the fire services facility.*

Ms. Barnes requested an executive session to discuss real estate and litigation matters.

19. Approved Juvenile Court's request for the Board of Commissioners to consider an Extension of Services pursuant to the Memorandum of Understanding between Clayton County and Deborah Stone. Vote unanimous.

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Mr. John Johnson presented the duties incurred by Ms. Stone. She is to monitor 300+ African American males that are at risk for suspension, expulsion, and drop out within the school system. He stated that there is approximately \$17,115.00 remaining within the grant that pays Ms. Stone before the grant expires. There will be no impact to county funds.

Commissioner Gregory asked what strategies are in place in regards to the monitoring of the students. Ms. Stone advised that the monitoring piece is to ensure service delivery, quality of service delivery, progress of students, and most importantly to make sure to be on track for meeting the goal. Vice-Chairman Hambrick asked if anything was done with the monitoring. Ms. Stone advised that the program that she facilitates is with the School to Justice Partnership. She stated that the goal is to capitalize on what works for the kids and what doesn't, change it up.

Commissioner Gregory asked Ms. Stone if she works with the families in addition to the school and with the students. Mr. Johnson replied that they are being mentored and monitored at home as well.

Commissioner Rooks asked what would have happened if the entire amount would have been used by the prior employee. She was advised by Ms. Stone that the work will be completed without regards to compensation if the extension is approved.

Commissioner Edmondson asked would the funds lapse back to the state if this is not approved. Mr. Johnson advised yes, they would go back. Commissioner Rooks asked Mr. Johnson that since this is a grant funded position, if the funds go back to the state, could that potentially lessen the funds to be received in the future. He replied yes.

20. Approved the Appointment of Ms. Troyce Lancaster to the Civil Service Board to fill the expiring term of Ms. Troyce Lancaster as the Post Three representative. The term is for three years expiring on December 31, 2018. (*The elected officials of Clayton County have reappointed Troyce Lancaster.*) Motion passed 4-1. Commissioner Edmondson opposed.

21. Appointment of Dianna Williams to the Department of Behavioral Health and Developmental Disabilities Region 3 Advisory Council to fill a vacant seat formerly held by Mr. Brent Benedetti. The term is for three years expiring on April 2, 2016. (Full-Board Appointment) [*Chairman Turner nomination*] Vote unanimous.

Chairman Turner acknowledged Lake City Mayor Willie Oswald. Mayor Oswald addressed the Board and thanked them on behalf of Lake City. He expressed his gratitude in the Board members attending the city meetings in regards to the Fire Department.

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Fire Chief Landry Merkison introduced Dr. Sudda Reddy as the Medical Director for Clayton County. Chairman Turner extended a welcome to Dr. Reddy on behalf of the Board and the county.

Motion made by Commissioner Rooks, second by Commissioner Edmondson, to go into Executive Session to discuss real estate and litigation matters in the Commissioners' Conference Room 8:00 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to go out of Executive Session at 8:32 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:34 p.m. Vote unanimous.

Jack Hancock, County Attorney stated that Ms. Moore was in an automobile wreck with a Clayton County Police Officer on August 27, 2015 at the intersection of Mount Zion Boulevard and Mount Zion Road. He stated that she was in intensive care for approximately three to four months as a result of that wreck and incurred medical expenses over \$700,000.00. The statutory cap for the county is \$500,000.00 plus property damages. Mr. Hancock has the settlement agreement which outlines the \$500,000.00 for personal injuries and \$4,420.00 for property damage. Motion by Commissioner Edmondson, second by Commissioner Rooks, to approve said settlement. Vote unanimous.

Approved Mr. Hancock's presentation of the cell tower (SBA) issue that was discussed at a previous Regular Business Meeting, for the Board to issue a permit and grant two variances that was requested by the contractor. In exchange, the county would receive \$15,000.00 that would be used for improvement of the Jesters Creek Trail area, at the county's discretion. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Commissioner Edmondson, to adjourn the Regular Business Meeting of November 3, 2015 at 8:37 p.m. Vote unanimous.